

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

**NOTICE OF APPEAL
TRANSMITTAL LETTER AND
REQUEST FOR EXTENSION OF
TIME PURSUANT TO 37 C.F.R.
1.136 (a)**

Docket Number:
1662/611055

10/1693,1100
Application Number
~~10/1693,1100~~

Filing Date
October 23, 2003

Examiner
Karl J. Puttlitz

Art Unit
1621

Invention Title
POLYMORPHIC FORMS OF NATEGLINIDE

Inventors
YAHALOMI et al.

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:
Mail Stop: AF, Commissioner for Patents, P.O. box 1450, Alexandria, VA 22313-1450

on

Date: January 28, 2008

Signature: *Thelma Acrow*

02/01/2008 SDENB083 00000022 110600 10693166
01 FC:1253 1050.00 DA

Sir:

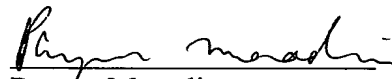
1. Transmitted herewith for filing is the following:
 - A Notice of Appeal in response to the Office Action mailed July 27, 2007, for the above-identified application;
 - Statement of Substance of Examiner Interview.
2. Applicants hereby request a **three-month extension of time** to respond to the Office Action of July 27, 2007, which set a three-month period for response. The extended period for response expires on January 27, 2008, a Sunday. This response is considered timely filed on Monday, January 28, 2008. Please charge the **\$1,050.00** extension fee and any additional fees to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.
3. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**:

- A. Any additional filing fees required under 37 C.F.R. § 1.16;
- B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
- C. Any additional patent issue fees under 37 C.F.R. § 1.18;
- D. Any additional document supply fees under 37 C.F.R. § 1.19;
- E. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
- F. Any additional miscellaneous fees under 37 C.F.R. § 1.21.

4. A copy of this letter is enclosed.

Respectfully submitted,

Date: January 28, 2008



Payam Moradian
Reg. No. 52,048

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: YAHALOMI et al.

Application No.: 10/693,166

Filed: October 23, 2003

For: **POLYMORPHIC FORMS OF NATEGLINIDE**

Art Unit : 1621

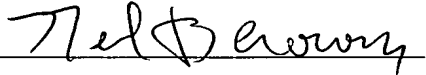
Examiner : Karl J. Puttlitz

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on

Date: January 28, 2008

Signature: **STATEMENT OF SUBSTANCE OF EXAMINER INTERVIEW**

Sir:

As required by MPEP 713.04, this paper describes the substance of a telephone interview between Examiner Karl J. Puttlitz and Payam Moradian (Reg. No.: 52,048), agent for Applicants, on September 27, 2007, for the above-identified application. The Applicant thanks the Examiner Puttlitz for the interview. The statutory double patenting rejection was discussed. Prior art was not discussed. An agreement was not reached.

Respectfully submitted,

KENYON & KENYON LLP

Dated: January 28, 2008

By: 

Payam Moradian
Reg. No. 52,048

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